

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by first submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication. Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule. (A.R.S. §§ 41-1013 and 41-1022)

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 22. BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

PREAMBLE

- 1. Sections Affected**

R4-22-112	Amend
R4-22-113	Repeal
R4-22-114	Repeal
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statute: A.R.S. § 32-1803(C)(1)
Implementing statutes: A.R.S. §§ 32-1803(A)(10), 32-1853.01, and 32-1859
- 3. A list of all previous notices appearing in the Register addressing the proposed rules:**

Notice of Rulemaking Docket Opening: 8 A.A.R. 1551, March 29, 2002
Notice of Proposed Rulemaking: 9 A.A.R. 1234, April 18, 2003
Notice of Rulemaking Docket Opening: 9 A.A.R. 5602, December 26, 2003 (*in this issue*)
- 4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name:	Elaine LeTarte, Executive Director
Address:	Arizona Board of Osteopathic Examiners in Medicine and Surgery 9535 E. Doubletree Ranch Road Scottsdale, AZ 85258-5539
Telephone:	(602) 657-7703
Fax:	(602) 657-7715
E-mail:	Executive.Director@azosteoboard.org
- 5. An explanation of the rules, including the agency's reasons for initiating the rules:**

When combined with the proposed rulemaking published on April 18, 2003, the amendment to R4-22-112 and the repeal of R4-22-113 and R4-22-114 will conform the rules governing medical assistants to current standards. The Sections affected in this rulemaking were not included in the March 2002 docket opening from which came the April 2003 proposed rulemaking. The final rulemaking will join the two proposed rulemakings.
- 6. A reference to any study relevant to the rules that the agency reviewed and either proposes to rely on in its evaluation of or justification for the rules or proposes not to rely on in its evaluation of or justification for the rules, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

Not applicable
- 7. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

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8. The preliminary summary of the economic, small business, and consumer impact:

The proposed amendments of the rules will have minor economic impact on osteopathic physicians and medical assistants regulated under 4 A.A.C. 22, and therefore on the public. The primary costs of these proposed rules will be borne by the Secretary of State for publication of the rules and by the Board in promulgating them.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Elaine LeTarte, Executive Director
Address: Arizona Board of Osteopathic Examiners in Medicine and Surgery
9535 E. Doubletree Ranch Road
Scottsdale, AZ 85258-5539
Telephone: (602) 657-7703
Fax: (602) 657-7715
E-mail: Executive.Director@azosteoboard.org

10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rules, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:

No oral proceeding is scheduled. The Board will accept written comments between 8:00 a.m. and 5:00 p.m., Monday through Friday at the location listed in item #9. The last date for submission of written comments will be January 30, 2004. The record will be closed at the close of business on January 30, 2004.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 22. BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

ARTICLE 1. GENERAL PROVISIONS

Section

- R4-22-112. ~~Qualifications of Medical Assistants~~ Medical Assistant Training Requirement
R4-22-113. ~~Regulation of Medical Assistants~~ Repealed
R4-22-114. ~~Physician Responsibility for Medical Assistants~~ Repealed

ARTICLE 1. GENERAL PROVISIONS

R4-22-112. ~~Qualifications of Medical Assistants~~ Medical Assistant Training Requirement

~~A medical assistant shall be 18 years of age or older and possess a high school degree or equivalent thereof.~~

A. The supervising physician or physician assistant shall ensure that a medical assistant satisfies one of the following training requirements prior to the medical assistant's employment:

1. Completion of an approved medical assistant training program.
2. Completion of an unapproved medical assistant training program and passage of the medical assistant examination administered by either the American Association of Medical Assistants or the American Medical Technologists.

B. This rule does not apply to any person who:

1. Prior to the effective date of these rules completed an unapproved medical assistant training program and was employed as a medical assistant since the completion of the program.
2. Prior to the effective date of these rules was directly supervised by the same physician, group of physicians, or physician assistant for at least 2000 hours.
3. Completed a medical services training program of the Armed Forces of the United States.

R4-22-113. ~~Regulation of Medical Assistants~~ Repealed

~~A medical assistant, when interacting with a patient or otherwise working as a medical assistant, shall wear a name tag which clearly identifies the medical assistant and state that the medical assistant is a medical assistant.~~

R4-22-114. Physician Responsibility for Medical Assistants Repealed

A physician employing a medical assistant shall insure that such medical assistant complies with all statutes and rules applicable to employment as a medical assistant. A physician who utilizes the services of a medical assistant to assist the physician in the practice of medicine shall supervise and be responsible for all actions or failures of the medical assistant relating to the physician's practice of medicine.

NOTICE OF PROPOSED RULEMAKING

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

PREAMBLE

1. Sections Affected

R7-2-612
R7-2-613

Rulemaking Action

Amend
Amend

2. The specific authority for rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 15-203(A)

Implementing statute: A.R.S. § 15-203(A)(14)

3. A list of all previous notices appearing in the Register addressing the proposed rules:

Notice of Rulemaking Docket Opening: 9 A.A.R. 3351, July 25, 2003

4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Christy Farley
Executive Director, State Board of Education

Address: 1535 W. Jefferson, Room 418
Phoenix, AZ 85007

Telephone: (602) 542-5057

Fax: (602) 542-3046

E-mail: cfarley@ade.az.gov

5. An explanation of the rules, including the agency's reasons for initiating the rules:

The State Board of Education is initiating the creation of an Early Childhood Education Certificate and an Early Childhood Education Endorsement for Arizona teachers to provide improved professional development and teacher preparation programs for educators who will be providing services in the early years, primarily preschool and kindergarten programs. The Board recognizes that early childhood, the years between birth and age eight, are an important and unique period in a child's life. Recent research and national reports suggest early experiences and education are of critical importance for a child's cognitive, social, emotional, and educational success and well being. New research finds that young children's learning and development clearly depends on the educational qualifications of their teachers.

Under the current teacher certification system in Arizona, all teachers teaching public school kindergarten and primary grades must have an elementary teaching certificate, but they are not required to have more than one course in child development nor training in early childhood education as part of that preparation. More importantly, teachers of preschool children may obtain an early childhood special education certificate, but the certification requirements to build a foundation in child development does not provide specific guidance as to hours of coursework critical to building the foundation of knowledge in teaching young children with and without special needs. Furthermore, the practicum requirement for this certificate does not require a beginning teacher to obtain experience in teaching all ages of children birth to eight.

Current teacher certification standards were developed prior to the extensive availability of, and demand for, early childhood education programs. These proposed rules will strengthen Arizona's teacher quality in the area of early childhood education, improve the quality of early childhood programs, and influence teacher preparation programs in the state. Most importantly, the proposed rules will assist Arizona's youngest children to start school ready to learn.

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- 6. A reference to any study relevant to the rules that the agency reviewed and either proposes to rely on in its evaluation of or justification for the rules or proposes not to rely on in its evaluation of or justification for the rules, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

Not applicable

- 7. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:**

The proposed rules will not diminish any previous grant of authority of a political subdivision of this state.

- 8. The preliminary summary of the economic, small business, and consumer impact:**

The rules as proposed are not expected to have a significant economic impact. A minimal impact will occur after the 2009-2010 school year for members of the teaching profession who are providing preschool and kindergarten education in public schools in Arizona. For these teachers, the adoption of the new Early Childhood Education Certificate and Early Childhood Education Endorsement will institute an additional certification requirement and the associated fees will be assessed. It is anticipated that the minimal individual costs will be outweighed by the positive effects on students in public early childhood education programs. Certification and endorsements in the area of early childhood education will provide more specialized professional development in this critical stage of learning and brain development, leading to higher quality early childhood education programs.

- 9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**

Name: Christy Farley
Executive Director, State Board of Education

Address: 1535 W. Jefferson, Room 418
Phoenix, AZ 85007

Telephone: (602) 542-5057

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E-mail: cfarley@ade.az.gov

- 10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rules, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:**

An oral proceeding on the proposed rulemaking is scheduled as follows:

Date: February 12, 2004

Time: 9:00 a.m.

Location: State Board of Education
1535 W. Jefferson, Room 417
Phoenix, AZ 85007

- 11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class or rules:**

Not applicable

- 12. Incorporations by reference and their location in the rules:**

None

- 13. The full text of the rules follows:**

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 6. CERTIFICATION

Section

R7-2-612. Other Teaching Certificates

R7-2-613. Endorsements

ARTICLE 6. CERTIFICATION

R7-2-612. Other Teaching Certificates

A. Except as noted, all certificates are subject to the general certification provisions in R7-2-607.

B. Substitute Certificate -- grades K-12

1. The certificate is valid for six years and renewable by reapplication.
2. The certificate entitles the holder to substitute in the temporary absence of a regular contract teacher. A person holding only a substitute certificate shall not be assigned a contract teaching position.
3. An individual who holds a valid teaching or administrator certificate shall not be required to hold a substitute certificate to be employed as a substitute teacher.
4. A person holding only a substitute certificate shall be limited to teaching 120 days in the same school each school year.
5. The requirement for issuance is a Bachelor's degree and a valid Class 1 or Class 2 fingerprint clearance card.
6. Substitute certificates previously issued as valid for life under this rule shall remain valid for life.

C. Emergency Substitute Certificate -- grades K-12

1. The certificate is valid for one school year or part thereof. The expiration date shall be the following July 1.
2. The certificate entitles the holder to substitute only in the district that verifies that an emergency employment situation exists.
3. The certificate entitles the holder to substitute in the temporary absence of a regular contract teacher. A person holding only an emergency substitute certificate shall not be assigned a contract teaching position.
4. The holder of an emergency substitute certificate shall be limited to 120 days of substitute teaching per school year.
5. The requirements for initial issuance are:
 - a. High school diploma;
 - b. Verification from the school district superintendent that an emergency employment situation exists; and
 - c. A valid Class 1 or Class 2 fingerprint clearance card.
6. The requirements for each reissuance are:
 - a. Two semester hours of academic courses completed since the last issuance of the Emergency Substitute Certificate. District in-service programs designed for professional development may substitute for academic courses. Fifteen clock hours of in-service is equivalent to one semester hour. In-service hours shall be verified by the district superintendent or personnel director. Individuals who have earned 30 or more semester hours are exempt from this requirement;
 - b. Verification from the school district superintendent that an emergency employment situation exists; and
 - c. A valid Class 1 or Class 2 fingerprint clearance card.

D. Emergency Teaching Certificate -- grades K-12

1. The certificate is valid one school year or part thereof. The expiration date shall be the following July 1.
2. The certificate entitles the holder to enter into a teaching contract.
3. Emergency teaching certificates shall be issued only for elementary and secondary certificates required by A.R.S. § 15-502(B), special education certificates, and required endorsements.
4. The certificate entitles the holder to teach only in the district that verifies that an emergency employment situation exists.
5. The requirements for initial issuance are:
 - a. A Bachelor's degree;
 - b. Verification from the school district superintendent that an emergency employment situation exists; and
 - c. A valid Class 1 or Class 2 fingerprint clearance card.
6. The requirements for reissuance are:
 - a. Verification from the school district superintendent that an emergency employment situation exists;
 - b. Six semester hours of courses toward meeting the requirements for the specified certificate or endorsement, completed since the last issuance of the emergency teaching certificate; and
 - c. A valid Class 1 or Class 2 fingerprint clearance card.

E. Teaching Intern Certificate -- grades K-12

1. The certificate is valid for two years and is not renewable.
2. The intern certificate entitles the holder to perform intern or paraprofessional duties in whatever grades or levels are assigned.
3. The requirements are:
 - a. Current enrollment in a teacher preparation program;
 - b. A recommendation from the dean of a college of education or the administrator of a Board-approved teacher preparation program; and
 - c. A valid Class 1 or Class 2 fingerprint clearance card.
4. The holder shall be under the direct supervision of college and certified school personnel.

F. Adult Education Certificates

1. The adult education certificates are issued for individuals teaching in the areas of Adult Basic Education, General Educational Development, English as a Second Language, or Citizenship.

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2. Provisional Adult Education Certificate.
 - a. The certificate is valid for three years and is not renewable.
 - b. The requirement for issuance is a valid Class 1 or Class 2 fingerprint clearance card and a Bachelor's degree or three years of experience as a teacher, tutor, or aide in an adult education program or in grades K-12. Up to two years of experience may be waived by postsecondary academic credit, with 30 semester hours equivalent to one year of experience.
3. Standard Adult Education Certificate.
 - a. The certificate is valid for six years.
 - b. The requirements are:
 - i. One year of part-time or full-time teaching experience under a provisional adult education certificate, verified by an adult education program administrator;
 - ii. Completion of 10-clock hours in a professional development program described in R7-2-617(B) since the issuance of the provisional adult education certificate; and
 - iii. A valid Class 1 or Class 2 fingerprint clearance card.
 - c. The renewal requirements are completion of 60-clock hours in a professional development program, described in R7-2-617(B).
- G. Junior Reserve Officer Training Corps Teaching Certificate -- grades 9-12
 1. The certificate is valid for six years and is renewable upon application.
 2. The certificate is valid at any local education agency which conducts an approved Junior Reserve Officer Training Corps program of the Air Force, Army, Navy, or Marine Corps.
 3. The requirements are:
 - a. Verification by the district of an approved Junior Reserve Officer Training Corps program of instruction in which the applicant will be teaching;
 - b. Verification by the district that the applicant meets the work experience required by the respective military service; and
 - c. A valid Class 1 or Class 2 fingerprint clearance card.
- H. Athletic coaching certificate - grades 7-12
 1. The certificate is valid for six years.
 2. The certificate entitles the holder to perform coaching duties in interscholastic and extracurricular athletic activities. It is not required for teachers who hold a valid elementary, secondary or special education certificate.
 3. The requirements are:
 - a. Valid certification in first aid and Coronary and Pulmonary Resuscitation (CPR);
 - b. Completion of 15 semester hours of courses which shall include at least three semester hours in courses related to each of the following: methods of coaching; anatomy and physiology; sports psychology; adolescent psychology; and the prevention and treatment of athletic injuries;
 - c. 250 hours of verified coaching experience in the sport to be coached. Coaching experience may include experience as a head coach or assistant coach in a school program or in an organized athletic league; and
 - d. A valid Class 1 or Class 2 fingerprint clearance card.
 4. Renewal requirements are:
 - a. Completion of 60-clock hours in a professional development program described in R7-2-617(B);
 - b. Valid certification in first aid and CPR.
- I. Provisional Early Childhood Education Certificate - birth through age eight
 1. By the 2009-2010 school year, either a provisional or a standard early childhood education certificate will be required for individuals teaching in public school infant/toddler, preschool and kindergarten programs, except as provided in R7-2-610 or in R7-2-613(O). This certificate is optional, but recommended by the Board, for individuals teaching in grades 1-3.
 2. This certificate is valid for two years and is not renewable.
 3. The requirements are:
 - a. A bachelor's degree; and
 - b. One of the following:
 - i. Completion of a teacher preparation program in early childhood education from an accredited institution or a teacher preparation program approved by the Board; or
 - ii. Early childhood education coursework and practicum experience which teaches the knowledge and skills described in R7-2-602 and includes both of the following:
 - (1) Thirty-seven semester hours of early childhood education courses to include all of the following areas of study:
 - (a) Foundations of early childhood education;
 - (b) Child guidance and classroom management;
 - (c) Characteristics and quality practices for typical and atypical behaviors of young children;

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- (d) Child growth and development, including health, safety and nutrition;
 - (e) Child, family, cultural and community relationships;
 - (f) Developmentally appropriate instructional methodologies for teaching language, math, science, social studies and the arts;
 - (g) Early language and literacy development;
 - (h) Assessing, monitoring and reporting progress of young children; and
 - (2) Eight semester hours of practicum, in which experience in two of three different age levels is included: Infant/Toddler (birth to 3 years), preschool/kindergarten (3 to 5 years), or grades 1-3. Two years of verified teaching experience with children birth to age 8 or grade 3 in a school-based education program or DHS licensed child care center-based program may substitute for the practicum; or
 - iii. A current early childhood education certificate from another state.
 - c. A valid Fingerprint Clearance Card issued by Arizona DPS, and
 - d. A passing score on the professional knowledge portion of the Arizona Educator Proficiency Assessment; and
 - e. A passing score on the early childhood subject knowledge portion of the Arizona Educator Proficiency Assessment once that portion of the AEPA is adopted by the Board.
 - J. Standard Early Childhood Education Certificate - birth through age eight**
 - 1. By the 2009-2010 school year, either a provisional or a standard early childhood education certificate will be required for individuals teaching in public school infant/toddler, preschool and kindergarten programs, except as provided in R7-2-610 or in R7-2-613(O). This certificate is optional, but recommended by the Board, for individuals teaching in grades 1-3.
 - 2. This certificate is valid for six years.
 - 3. The requirements are:
 - a. Qualification for the Provisional Early Childhood Education Certificate, except as provided in R7-2-612(J)(3); and
 - b. Two years of verified teaching experience with children birth through age eight or grade three in a school-based education program or DHS-licensed child care center-based program.
 - 4. An individual may also qualify for a standard Early Childhood Education Certificate if the individual:
 - a. Holds current National Board Certification in Early Childhood; and
 - b. Holds a valid fingerprint Clearance Card issued by DPS.
- R7-2-613. Endorsements**
- A.** An endorsement shall be automatically renewed with the certificate on which it is posted.
 - B.** Except as noted, all endorsements are subject to the general certification provisions in R7-2-607.
 - C.** Endorsements which are optional as specified herein may be required by local governing boards.
 - D.** Special subject endorsements -- grades K-12.
 - 1. Special subject endorsements shall be issued in the area of art, computer science, dance, dramatic arts, music, or physical education.
 - 2. Special subject endorsements are optional.
 - 3. The requirements are:
 - a. An Arizona elementary, secondary, or special education certificate;
 - b. One course in the methods of teaching the subject at the elementary level;
 - c. One course in the methods of teaching the subject at the secondary level; and
 - d. One of the following:
 - i. Thirty semester hours of courses in the subject area; or
 - ii. A passing score on the subject area portion of the Arizona Teacher Proficiency Assessment, if an assessment has been adopted by the Board.
 - E.** Mathematics Specialist Endorsement -- grades K-8
 - 1. The mathematics specialist endorsement is optional.
 - 2. The requirements are:
 - a. An Arizona elementary or special education certificate;
 - b. Three semester hours of courses in the methods of teaching elementary school mathematics; and
 - c. Fifteen semester hours of courses in mathematics education for teachers of elementary or middle school mathematics.
 - F.** Reading Specialist Endorsement -- grades K-12
 - 1. The reading specialist endorsement shall be required of an individual in the position of reading specialist, reading consultant, remedial reading teacher, special reading teacher, or in a similar position.
 - 2. The requirements are:
 - a. An Arizona elementary, secondary, or special education certificate; and

- b. Fifteen semester hours of courses to include decoding, diagnosis and remediation of reading difficulties, and practicum in reading.
- G. Elementary Foreign Language Endorsement -- grades K-8**
 - 1. The elementary foreign language endorsement is optional.
 - 2. The requirements are:
 - a. An Arizona elementary, secondary or special education certificate.
 - b. Proficiency in speaking, reading, and writing a language other than English, verified by the appropriate language department of an accredited institution. American Indian language proficiency shall be verified by an official designated by the appropriate tribe.
 - c. Three semester hours of courses in the methods of teaching a foreign language at the elementary level.
- H. Bilingual Endorsements -- grades K-12**
 - 1. A provisional bilingual endorsement or a bilingual endorsement is required of an individual who is a bilingual classroom teacher, bilingual resource teacher, bilingual specialist, or otherwise responsible for providing bilingual instruction.
 - 2. The provisional bilingual endorsement is valid for three years and is not renewable. The requirements are:
 - a. An Arizona elementary, secondary, or special education, or vocational certificate; and
 - b. Proficiency in a language other than English or sign language.
 - 3. The holder of the bilingual endorsement is also authorized to teach English as a Second Language.
 - 4. The requirements are:
 - a. An Arizona elementary, secondary, special education, or vocational certificate;
 - b. Completion of a bilingual education program from an accredited institution or the following courses:
 - i. Three semester hours of foundations of instruction for non-English-language-background students;
 - ii. Three semester hours of bilingual methods;
 - iii. Three semester hours of English as a Second Language for bilingual settings;
 - iv. Three semester hours of courses in bilingual materials and curriculum; assessment of limited-English-proficient students; teaching reading and writing in the native language; or English as a Second Language for bilingual settings;
 - v. Three semester hours of linguistics to include psycholinguistics, sociolinguistics, first language acquisition, and second language acquisition for language minority students; or American Indian language linguistics;
 - vi. Three semester hours of courses dealing with school, community, and family culture and parental involvement in programs of instruction for non-English-language-background students; and
 - vii. Three semester hours of courses in methods of teaching and evaluating handicapped children from non-English-language backgrounds. These hours are only required for bilingual endorsements on special education certificates.
 - c. A valid bilingual certificate or endorsement from another state may be substituted for the courses described in subsection (H)(4)(b);
 - d. Practicum in a bilingual program or two years of verified bilingual teaching experience; and
 - e. Proficiency in a spoken language other than English, verified by the language department of an accredited institution except in the case of Spanish and American Indian languages. Spanish language proficiency shall be demonstrated by passing the Arizona Classroom Spanish Proficiency Examination approved by the Board. American Indian language proficiency shall be verified by an official designated by the appropriate tribe.
- I. English as a Second Language (ESL) Endorsements -- grades K-12**
 - 1. An ESL or bilingual endorsement is required of an individual who is an ESL classroom teacher, ESL specialist, ESL resource teacher, or otherwise responsible for providing ESL instruction.
 - 2. The provisional ESL endorsement is valid for three years and is not renewable. The requirements are:
 - a. An Arizona elementary, secondary, or special education, or vocational certificate; and
 - b. Six semester hours of courses specified in subsection (I)(3)(b), including at least one course in methods of teaching ESL students.
 - 3. The requirements for the ESL endorsement are:
 - a. An Arizona elementary, secondary, special education, or vocational certificate;
 - b. Completion of an ESL education program from an accredited institution or the following courses:
 - i. Three semester hours of courses in foundations of instruction for non-English-language-background students. Three semester hours of courses in the nature and grammar of the English language, taken before January 1, 1999, may be substituted for this requirement;
 - ii. Three semester hours of ESL methods;
 - iii. Three semester hours of teaching of reading and writing to limited-English-proficient students;
 - iv. Three semester hours of assessment of limited-English-proficient students;
 - v. Three semester hours of linguistics; and

- vi. Three semester hours of courses dealing with school, community, and family culture and parental involvement in programs of instruction for non-English-language-background students.
- c. Three semester hours of a practicum or two years of verified ESL or bilingual teaching experience, verified by the district superintendent;
- d. Second language learning experience, which may include sign language. Second language learning experience may be documented by any of the following:
 - i. Six semester hours of courses in a single second language, or the equivalent, verified by the department of language, education, or English at an accredited institution;
 - ii. Completion of intensive language training by the Peace Corps, the Foreign Service Institute, or the Defense Language Institute;
 - iii. Placement by the language department of an accredited institution in a third-semester level;
 - iv. Placement at level 1-intermediate/low or more advanced score on the Oral Proficiency Interview, verified by the American Council for the Teaching of Foreign Languages;
 - v. Passing score on the Arizona Classroom Spanish Proficiency Examination approved by the Board; or
 - vi. Proficiency in an American Indian language, verified by an official designated by the appropriate tribe.
- e. A valid ESL certificate or endorsement from another state may be substituted for the requirements described in subsection (I)(3)(b), (c), and (d).

J. Gifted Endorsements -- grades K-12

- 1. A gifted endorsement is required of individuals whose primary responsibility is teaching gifted students.
- 2. The provisional gifted endorsement is valid for three years and is not renewable. The requirements are an Arizona elementary, secondary, or special education certificate and one of the following:
 - a. Two years of verified teaching experience in which most students were gifted;
 - b. Ninety clock hours of verified in-service training in gifted education; or
 - c. Six semester hours of courses in gifted education.
- 3. Requirements for the gifted endorsement are:
 - a. An Arizona elementary, secondary, or special education certificate;
 - b. Completion of nine semester hours of upper division or graduate level courses in an academic discipline such as science, mathematics, language arts, foreign language, social studies, psychology, fine arts, or computer science; and
 - c. Two of the following:
 - i. Three years of verified teaching experience in gifted education as a teacher, resource teacher, specialist, or similar position, verified by the district; or
 - ii. A minimum of 135-clock hours of verified in-service training in gifted education; or
 - iii. Completion of 12 semester hours of courses in gifted education. District in-service programs in gifted education may be substituted for up to six semester hours of gifted education courses. Fifteen clock hours of in-service is equivalent to one semester hour. In-service hours shall be verified by the district superintendent or personnel director. Practicum courses shall not be accepted toward this requirement; or
 - iv. Completion of six semester hours of practicum or two years of verified teaching experience in which most students were gifted.

K. Library-Media Specialist Endorsement -- grades K-12

- 1. The library-media specialist endorsement is optional.
- 2. Requirements are:
 - a. An Arizona elementary, secondary, or special education certificate;
 - b. A passing score on the Library Media Specialist portion of the Arizona Teacher Proficiency Assessment. A Master's degree in Library Science may be substituted for a passing score on the assessment; and
 - c. One year of teaching experience.

L. Early Childhood Education Endorsement – birth through age eight

- 1. An early childhood endorsement is optional, but recommended for individuals teaching in infant/toddler programs, preschool, kindergarten or primary level elementary grades who are not otherwise certified in early childhood education. When combined with an elementary education teaching certificate or a special education teaching certificate, it may be used in lieu of a standard early childhood education certificate as described in R7-2-612(I).
- 2. An endorsement shall be automatically renewed with the certificate on which it is posted.
- 3. The requirements are:
 - a. A valid Arizona elementary education teaching certificate as provided in R7-2-608 or a special education teaching certificate as provided in R7-2-610.
 - b. Early childhood education coursework and practicum experience which includes both of the following:
 - i. Twenty-one semester hours of early childhood education courses to include all of the following areas of study:

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- (1) Foundations of early childhood education;
- (2) Child guidance and classroom management;
- (3) Characteristics and quality practices for typical and atypical behaviors of young children;
- (4) Child growth and development, including health, safety and nutrition;
- (5) Child, family, cultural and community relationships;
- (6) Developmentally appropriate instructional methodologies for teaching language, math, science, social studies and the arts;
- (7) Early language and literacy development;
- (8) Assessing, monitoring and reporting progress of young children; and
- ii. Eight semester hours of practicum, in which experience in two of three different age levels is included: Infant/Toddler (birth to 3 years), preschool/kindergarten (3 to 5 years), or grades 1-3. Two years of verified teaching experience with children birth to age 8 or grade 3 in a school-based education program or DHS licensed child care center-based program may substitute for the practicum; and
- c. A valid Fingerprint Clearance Card issued by Arizona DPS; and
- d. A passing score on the early childhood subject knowledge portion of the Arizona Educator Proficiency Assessment once that portion of the AEPA is adopted by the Board.
- 4. An individual may also qualify for an Early Childhood Education Endorsement if the individual:
 - a. Has current National Board Certification in Early Childhood; and
 - b. Holds a valid Fingerprint Clearance Card issued by Arizona DPS.

L.M. Middle Grade Endorsement -- grades 5-9

- 1. The middle grade endorsement is optional. The middle grade endorsement may expand the grades a teacher is authorized to teach on an elementary or secondary certificate.
- 2. The requirements are:
 - a. An Arizona elementary or secondary certificate; and
 - b. Six semester hours of courses in middle grade education to include:
 - i. One course in early adolescent psychology;
 - ii. One course in middle grade curriculum; and
 - iii. A practicum or one year of verified teaching experience, in grades 5-9.

M.N. Drivers Education Endorsement

- 1. The drivers education endorsement is optional.
- 2. The requirements are:
 - a. An Arizona teaching certificate;
 - b. A valid Arizona driver's license;
 - c. One course in each of the following: safety education, driver and highway safety education, and driver education laboratory experience; and
 - d. A driving record with less than 7 violation points and no revocation or suspension of driver's license within the two years preceding application.

N.O. Cooperative Education Endorsement -- grades K-12

- 1. The cooperative education endorsement is required for individuals who coordinate or teach vocational cooperative education.
- 2. The requirements are:
 - a. A provisional or standard vocational certificate in the areas of agriculture, business, family and consumer sciences, health occupations, marketing, or industrial technology; and
 - b. One course in vocational cooperative education.

NOTICE OF PROPOSED RULEMAKING

TITLE 9. HEALTH SERVICES

CHAPTER 14. DEPARTMENT OF HEALTH SERVICES LABORATORIES

PREAMBLE

- | | |
|---|--|
| <u>1. Sections Affected</u>
R9-14-610 | <u>Rulemaking Action</u>
Amend |
|---|--|
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statute: A.R.S. § 36-136(A)(7) and (F)

Implementing statute: A.R.S. § 36-495.01
- 3. A list of all previous notices appearing in the Register addressing the proposed rule:**

Notice of Rulemaking Docket Opening: 9 A.A.R. 4200, October 3, 2003
- 4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name:	Steven Baker, Office Chief
Address:	Arizona Department of Health Services Office of Laboratory Licensure, Certification, and Training 1740 W. Adams, Suite 203N Phoenix, AZ 85007
Telephone:	(602) 364-0735
Fax:	(602) 364-0759
E-mail:	sbaker@hs.state.az.us
	or
Name:	Kathleen Phillips, Rules Administrator
Address:	Arizona Department of Health Services Office of Administrative Rules 1740 W. Adams, Suite 202 Phoenix, AZ 85007
Telephone:	(602) 542-1264
Fax:	(602) 364-1150
E-mail:	kphilli@hs.state.az.us
- 5. An explanation of the rule, including the agency's reasons for initiating the rule:**

The rules in 9 A.A.C. 14, Article 6 establish minimum standards of proficiency, methodology, quality assurance, operation, and safety for environmental laboratories. They provide for the licensing of environmental laboratories and the certification of test methods, and they prescribe fees and the manner and form in which compliance testing results are reported. The rules are mandated by A.R.S. §§ 36-495.01 through 36-495.15, which were originally passed in 1989 in response to community and interdepartmental concerns. Since their promulgation, these rules have improved the quality of compliance testing and have helped to protect the public health and safety and the environment for all residents and guests of the state of Arizona through the monitoring and licensing of the laboratories testing Arizona's wastewater, drinking water, air, and hazardous wastes.

ADHS substantially revised the rules for environmental laboratory licensure effective December 15, 2000. At that time, ADHS adopted a provision in R9-14-610(B) allowing for Director approval of a method or method alteration if an approved method or existing alternate method was not available for the parameter involved or if an EPA or ADEQ statute or rule required or authorized use of a method that was not an approved method or existing alternate method. ADHS has since determined that some environmental laboratories desire to use methods that are not approved methods or existing alternate methods and that are not required or authorized to be used by the EPA or ADEQ, but instead are required or authorized to be used by the U.S. Food and Drug Administration (FDA). In addition, ADHS has determined that once the rules for bottled water in 9 A.A.C. 8 are updated, some environmental laboratories that perform compliance testing for bottled water processed in Arizona and sold only in Arizona may need to use methods that are

Notices of Proposed Rulemaking

required to be used by ADHS in 9 A.A.C. 8 rather than by the EPA, ADEQ, or the FDA. Additionally, ADHS has determined that the EPA is no longer promulgating methods only in the form of regulations, but instead is issuing less formal documents such as memoranda authorizing or requiring the use of methods. For these reasons, ADHS has determined that it is necessary to broaden the scope of circumstances under which a licensee may petition ADHS for approval of a new alternate method or method alteration.

This rulemaking amends R9-14-610(B) to allow a licensee to petition ADHS for approval of a new alternate method or method alteration if an approved method or existing alternate method is not available for a particular parameter or a different method or method alteration is required or authorized by the EPA, ADEQ, the FDA, or 9 A.A.C. 8.

6. **A reference to any study relevant to the rule that the agency reviewed and either proposes to rely on in its evaluation of or justification for the rule or proposes not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

None

7. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

8. **The preliminary summary of the economic, small business, and consumer impact:**

ADHS will incur minimal-to-moderate costs from the rulemaking process and potentially moderate costs from the possible increase in the number of requests for Director approval of methods and method alterations. State agencies that are clients of environmental laboratories will potentially benefit substantially from this rulemaking because it will be possible for the environmental laboratories that they use to obtain Director approval for methods that could not have been Director-approved (and thus could not have been used) without the changes made in this rulemaking.

Political subdivisions that run environmental laboratories will potentially benefit substantially from this rulemaking because it will be possible to obtain Director approval for methods that could not have been Director-approved (and thus could not have been used) without the changes made in this rulemaking. Political subdivisions that are clients of environmental laboratories will potentially benefit substantially as well, for the same reason.

Private environmental laboratories will potentially benefit substantially from this rulemaking because it will be possible to obtain Director approval for methods that could not have been Director-approved (and thus could not have been used) without the changes made in this rulemaking. Businesses that are clients of environmental laboratories will potentially benefit substantially as well, for the same reason.

The general public will benefit from this rulemaking because it may result in environmental laboratories' being able to use the most up-to-date methods and method alterations available without waiting an extended period for ADHS to complete emergency or regular rulemaking. Because this could result in more accurate test results regarding the contents of samples of Arizona's wastewater, drinking water, air, and hazardous wastes, it may result in enhanced protection of the public health and safety and the environment for all residents and guests of the state of Arizona.

9. **The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**

Name: Steven Baker, Office Chief

Address: Arizona Department of Health Services
Office of Laboratory Licensure, Certification, and Training
1740 W. Adams, Suite 203N
Phoenix, AZ 85007

Telephone: (602) 364-0735

Fax: (602) 364-0759

E-mail: sbaker@hs.state.az.us

or

Name: Kathleen Phillips, Rules Administrator

Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Suite 202
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: kphilli@hs.state.az.us

10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

The Department has scheduled the following oral proceeding:

Date: February 3, 2004

Time: 1:00 p.m.

Location: 1740 W. Adams
Conference Room between Suites 203N and 203S
Phoenix, AZ 85007

Nature: Oral Proceeding

Written comments on the proposed rulemaking or the preliminary economic, small business, and consumer impact summary may be submitted to either individual listed in items #4 and #9 until the close of record at 5:00 p.m., February 3, 2004.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their location in the rule:

This rulemaking does not make any changes to the incorporations by reference contained in R9-14-610(A).

13. The full text of the rule follows:

TITLE 9. HEALTH SERVICES

**CHAPTER 14. DEPARTMENT OF HEALTH SERVICES
LABORATORIES**

ARTICLE 6. LICENSING OF ENVIRONMENTAL LABORATORIES

Section

R9-14-610. Approved Methods and References

ARTICLE 6. LICENSING OF ENVIRONMENTAL LABORATORIES

R9-14-610. Approved Methods and References

A. No change

B. If an approved method or existing alternate method is not available for a particular parameter, or a different method or method alteration is required or authorized to be used for a particular parameter by an the EPA or, ADEQ statute or rule, the U.S. Food and Drug Administration, or 9 A.A.C. 8, a licensee may petition the Department for approval of a new alternate method or method alteration.

1. For a method or method alteration required or authorized by ~~an the EPA or, ADEQ statute or rule, the U.S. Food and Drug Administration, or 9 A.A.C. 8,~~ the petition shall include:
 - a. The name, address, and telephone number of the licensee submitting the petition;
 - b. The name, address, and telephone number of the laboratory for which approval of the method or method alteration is requested;
 - c. Identification of the parameter for which approval of the method or method alteration is requested; and
 - d. Reference to the ~~EPA or, ADEQ statute or rule, U.S. Food and Drug Administration, or 9 A.A.C. 8 requirement or authorization for that requires or authorizes~~ the use of the method or method alteration for which approval is requested.
2. For a method or method alteration that is not required or authorized by ~~an the EPA or, ADEQ statute or rule, the U.S. Food and Drug Administration, or 9 A.A.C. 8,~~ the petition shall include:
 - a. The name, address, and telephone number of the licensee submitting the petition;
 - b. The name, address, and telephone number of the laboratory for which approval of the method or method alteration is requested;
 - c. Identification of the parameter for which approval of the method or method alteration is requested; and
 - d. Written justification for using the method or method alteration for which approval is requested, including the following:
 - i. A detailed description of the method or method alteration;

Notices of Proposed Rulemaking

- ii. References to published or other studies confirming the general applicability of the method or method alteration to the parameter for which its use is intended;
 - iii. Reference to the EPA ~~or~~, ADEQ, U.S. Food and Drug Administration, or 9 A.A.C. 8 requirement to test the parameter; and
 - iv. Data that demonstrate the performance of the method or method alteration in terms of accuracy, precision, reliability, ruggedness, ease of use, and ability to achieve a detection limit appropriate for the proposed use of the method or method alteration.
3. Before approving a new alternate method or method alteration that is not required or authorized by ~~an~~ the EPA ~~or~~, ADEQ ~~statute or rule~~, the U.S. Food and Drug Administration, or 9 A.A.C. 8, the Department may require that the method or method alteration be performed by a laboratory designated by the Department to verify that, using the parameter for which its use is intended, the method or method alteration produces data that comply with subsection (B)(2)(d)(iv).
 4. The Department may approve a new alternate method or method alteration that is not required or authorized by ~~an~~ the EPA ~~or~~, ADEQ ~~statute or rule~~, the U.S. Food and Drug Administration, or 9 A.A.C. 8 if the Department determines that use of the method or method alteration is justified as described in subsection (B)(2)(d).

NOTICE OF PROPOSED RULEMAKING

TITLE 9. HEALTH SERVICES

CHAPTER 16. DEPARTMENT OF HEALTH SERVICES
OCCUPATIONAL LICENSING

PREAMBLE

1. Sections Affected

R9-16-203
R9-16-204
R9-16-206
R9-16-210
R9-16-303
R9-16-307
R9-16-316

Rulemaking Action

Amend
Amend
Amend
New Section
Amend
Amend
New Section

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statutes: A.R.S. §§ 36-104(3), 36-132(A)(18), and 36-136(F)

Implementing statutes: A.R.S. §§ 36-1902(B)(5), 36-1904(B), and 36-1908, as amended by Laws 2003, Ch. 249, § 1, effective September 18, 2003

3. A list of all previous notices appearing in the Register addressing the proposed rules:

Notice of Rulemaking Docket Opening: 9 A.A.R. 4458, October 17, 2003

4. The name and address of agency personnel with whom persons may communicate regarding the rules:

Name: Michael Beaghtler, Program Manager
Address: Arizona Department of Health Services
Division of Licensing Services
Office of Special Licensing
150 N. 18th Avenue, Suite 460
Phoenix, AZ 85007
Telephone: (602) 364-3046
Fax: (602) 364-4769
E-mail: beaghtlm@hs.state.az.us

or

Notices of Proposed Rulemaking

Name: Kathleen Phillips, Rules Administrator
Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Room 202
Phoenix, AZ 85007
Telephone: (602) 542-1264
Fax: (602) 364-1150
E-mail: kphilli@hs.state.az.us

5. An explanation of the rules, including the agency's reasons for initiating the rules:

A.R.S. § 36-1908, as amended by Laws 2003, Ch. 249, § 1, effective September 18, 2003, requires the Department to set fees for, and collect license fees from, audiologists, speech-language pathologists, and hearing aid dispensers. In this rulemaking the Department proposes to set the six types of fees authorized by the legislation:

- Application fee for an initial license other than an initial hearing aid dispenser license by examination -- \$100;
- License fee for an initial license -- \$100;
- Application fee for an initial hearing aid dispenser license by examination -- \$250;
- Renewal license fee -- \$100;
- Duplicate license fee -- \$25; and
- Late fee -- \$25.

The Department is making new Section R9-16-210 to set the duplicate license fee for audiologists and speech-language pathologists and new Section R9-16-316 to set the duplicate license fee for hearing aid dispensers. The Department is reorganizing the two existing rules that deal with hearing aid dispenser fees, R9-16-303 and R9-16-307, by replacing the license renewal provisions in R9-16-303(C) and R9-16-303(D) with new provisions in R9-16-307 for renewal of organization hearing aid dispenser licenses and of temporary hearing aid dispenser licenses. The Department also is revising R9-16-303 and R9-16-307 according to the five-year review report of 9 A.A.C. 16, Article 3 approved by the Governor's Regulatory Review Council on November 6, 2001.

6. A reference to any study relevant to the rules that the agency reviewed and either proposes to rely on in its evaluation of or justification for the rules or proposes not to rely on in its evaluation of or justification for the rules, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

Not applicable

7. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

The Department is setting fees for audiologists, speech-language pathologists, and hearing aid dispensers according to A.R.S. § 36-1908, as amended by Laws 2003, Ch. 249, § 1, effective September 18, 2003. The Department currently licenses approximately 2500 audiologists, speech-language pathologists, and hearing aid dispensers.

The current fee amounts were set by statute, former A.R.S. § 36-1929, in 1991. In the intervening 12 years Arizona's population has grown and costs have increased.

The fees determined by the Department are based on the Department's costs for licensing and regulating audiologists, speech-language pathologists, and hearing aid dispensers, including the costs for giving hearing aid dispenser examinations. These fees are consistent with the Arizona licensing fees for some other occupations and professions. The fee increases represent minimal costs to individuals and organizations within the regulated community.

The increased fees will allow the Department to efficiently license and regulate audiologists, speech-language pathologists, and hearing aid dispensers as the state's population grows. The benefits from the increased fees outweigh the costs.

The following individuals, groups, or entities bear the cost of the fees set by the Department:

Audiologists, speech-language pathologists, and hearing aid dispensers

The proposed fees double the current \$50 application fee for applications other than applications for a hearing aid dispenser license by examination, the \$50 license fee, and the \$50 renewal license fee. The proposed fees increase by 2.5 times the current \$10 duplicate license fee and the \$10 late fee. As mandated by the 2003 legislation, the Department is setting a separate application fee for a hearing aid dispenser license by examination at \$250. This fee reflects the

Notices of Proposed Rulemaking

Department's costs for giving hearing aid dispenser examinations. The fees set by the Department represent minimal costs to the regulated community.

Audiologists, speech-language pathologists, and hearing aid dispensers may pass along some or all of the fee increase to consumers and third parties that pay for the products and services provided by audiologists, speech-language pathologists, and hearing aid dispensers.

Consumers and third-party payers

Consumers and third-party payers may have an increase in the charges for products and services provided by audiologists, speech-language pathologists, and hearing aid dispensers. This increase represents a minimal cost to consumers and third-party payers.

The following individuals, groups, and entities benefit from the fees set by the Department:

Consumers and third-party payers

Efficient regulation of audiologists, speech-language pathologists, and hearing aid dispensers by the Department protects consumers and third-party payers.

Audiologists, speech-language pathologists, and hearing aid dispensers

The regulated community benefits from efficient licensing and regulation by the Department.

The Department

The Department benefits from adequate resources to perform the duties mandated by A.R.S. Title 36, Chapter 17.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Michael Beaghtler, Program Manager
Address: Arizona Department of Health Services
Division of Licensing Services
Office of Special Licensing
150 N. 18th Avenue, Suite 460
Phoenix, AZ 85007
Telephone: (602) 364-3046
Fax: (602) 364-4769
E-mail: beaghtlm@hs.state.az.us
or
Name: Kathleen Phillips, Rules Administrator
Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Room 202
Phoenix, AZ 85007
Telephone: (602) 542-1264
Fax: (602) 364-1150
E-mail: kphilli@hs.state.az.us

10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rules, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:

Date: January 30, 2004
Time: 10:00 a.m.
Location: Arizona Department of Health Services
150 N. 18th Avenue, Conference Room 415B
Phoenix, AZ 85007
Nature: Oral proceeding

A person may submit written comments on the proposed rules no later than the close of record at 5:00 p.m., January 30, 2004, to the individuals listed in items #4 and #9.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their location in the rules:

Not applicable

13. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

**CHAPTER 16. DEPARTMENT OF HEALTH SERVICES
OCCUPATIONAL LICENSING**

ARTICLE 2. LICENSING AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS

Section

- R9-16-203. License Application
- R9-16-204. License Application Time-frames
- R9-16-206. License Renewal
- R9-16-210. ~~Reserved~~ Duplicate License Fee

ARTICLE 3. LICENSING HEARING AID DISPENSERS

Section

- R9-16-303. ~~Licensure Processes~~ Licensing Process
- R9-16-307. ~~Regular~~ License Renewal
- R9-16-316. Duplicate License Fee

ARTICLE 2. LICENSING AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS

R9-16-203. License Application

A. No change

- 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
- 2. No change
- 3. No change
- 4. No change
- 5. No change
- 6. An application fee of ~~\$50~~ \$100.

B. No change

- 1. No change
- 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change

C. No change

- 1. No change
- 2. No change

D. No change

- 1. No change
- 2. No change
- 3. No change
 - a. No change
 - b. No change

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- c. No change
- d. No change
- e. No change
- 4. An application fee of ~~\$50~~ \$100.

R9-16-204. License Application Time-frames

- A. No change
- B. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
- C. No change
 - 1. No change
 - a. No change
 - b. No change
 - 2. No change
- D. After receiving the written notice of approval in subsection (C)(2), an applicant shall send a ~~\$50~~ \$100 license fee to the Department. If the applicant does not submit the license fee within 30 days ~~of~~ after the date the Department sends the written notice of approval to the applicant, the Department shall consider the application withdrawn.

R9-16-206. License Renewal

- A. No change
 - 1. A license renewal fee of ~~\$50~~ \$100;
 - 2. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
- B. A licensee who submits the information and fee in subsection (A)(1) no later than 30 days after the license expiration date shall submit a ~~\$10~~ \$25 late fee in addition to the information and fee required by subsection (A). A licensee who does not submit the information and the fee in subsection (A)(1), within 30 days after the license expiration date, shall apply for a license by submitting the application packet required in R9-16-203(A).
- C. When renewing a temporary license, a licensee shall submit a license renewal fee of ~~\$50~~ \$100 and a form provided by the Department containing:
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change

R9-16-210. ~~Reserved~~ Duplicate License Fee

An individual licensed under 9 A.A.C. 16, Article 2, may obtain a duplicate license by submitting to the Department a request for a duplicate license containing the individual's name and address, the number and expiration date of the license to be duplicated, the individual's signature, and a \$25 duplicate license fee.

ARTICLE 3. LICENSING HEARING AID DISPENSERS

R9-16-303. ~~Licensure Processes~~ Licensing Process

- A. ~~Licensure by examination~~ For a hearing aid dispenser license by examination:
 - 1. ~~An~~ At least 75 days before the date the Department gives a hearing aid dispenser examination, an applicant for a hearing aid dispenser license shall submit to the Department a nonrefundable \$50 \$250 application fee and an application on a form provided by the Department, ~~which that~~ contains the following:
 - a. ~~Name;~~ The applicant's name, social security number, home address, and home telephone number of the applicant;
 - b. ~~Name of employer;~~ If applicable, the name of applicant's employer and the employer's business address; and business telephone number.

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- c. ~~Statement certified under penalty of perjury which shall contain the acknowledgement that the applicant has never been convicted of a criminal offense or a listing of all criminal convictions. Whether the applicant has been convicted in any state of a felony or a misdemeanor involving moral turpitude and a list that includes each conviction;~~
 - d. ~~Physician's written statement or health card obtained within 30 days prior to application that declares the applicant is free of contagious or infectious disease. Whether the applicant currently has or had, within the five years before the application date, a condition that impairs the applicant's ability to dispense hearing aids safely;~~
 - e. ~~Proof of a minimum education level as evidenced by a high school diploma or a general education diploma. A statement that the applicant completed at least a four-year course in an accredited high school or passed the general education development tests and:~~
 - i. ~~A list of each high school and post-secondary school attended; and~~
 - ii. ~~A copy of the applicant's high school diploma, general education development diploma, or post-secondary degree;~~
 - f. ~~Identification of past and current licensure as a hearing aid dispenser in any other state; and A list of each state that has issued the applicant a hearing aid dispenser license;~~
 - g. ~~Statement certified under penalty of perjury of any suspension or revocation of a hearing aid dispenser license in any state within the past 2 years and notification of current ineligibility for licensure in any state due to prior revocation or suspension. Whether:~~
 - i. ~~Any state has, within the two years before the application date, suspended or revoked a hearing aid dispenser license issued to the applicant; and~~
 - ii. ~~The applicant currently is not eligible to apply for a hearing aid dispenser license in any state due to a suspension or revocation; and~~
 - h. ~~A statement signed by the applicant verifying the truthfulness of the information provided on the application form.~~
2. ~~An applicant shall file the completed application form with the Department by the 15th day of the month prior to the month of examination. One The Department shall give one hearing aid dispenser examination shall be given in August and may give additional examinations may be given at other times by the Department according to A.R.S. § 36-1923(C).~~
 3. ~~The Director According to R9-16-315 and Table 1, the Department shall notify each an applicant:~~
 - a. ~~by By certified mail of the status of the applicant's eligibility to the applicant's address on the application, that the applicant does not meet the requirements of A.R.S. § 36-1923(A) and subsection (A)(1); or to take the examination not later than 15 days prior to the examination.~~
 - b. ~~Those applicants who have complied with the prerequisites By regular mail to the applicant's address on the application, that the applicant meets the requirements of A.R.S. § 36-1923(A) and of this subsection (A)(1) shall also be provided, and the date, time, and place of the examination.~~
 4. ~~The Director According to R9-16-315 and Table 1, the Department shall notify each an applicant whose examination results do not meet the requirements in R9-16-305:~~
 - a. ~~By certified mail to the applicant's address on the application, unless the applicant provided a different address at the examination;~~
 - b. ~~of Of the applicant's test examination results by certified mail within 30 days following the examination; and~~
 - c. ~~That the Department denies a regular hearing aid dispenser license to the applicant.~~
 5. ~~According to R9-16-315 and Table 1, the Department shall notify an applicant whose examination results meet the requirements in R9-16-305:~~
 - a. ~~By regular mail to the applicant's address on the application, unless the applicant provided a different address at the examination;~~
 - b. ~~Of the applicant's examination results; and~~
 - c. ~~That the Department approves a regular hearing aid dispenser license for the applicant.~~
 - 5-6. ~~The Director Department shall issue a regular hearing aid dispenser license to an applicant who passes the examination in accordance with R9-16-305 is notified under subsection (A)(5) and who submits to the Department a \$50 non-refundable \$100 license fee to the Department. If the applicant does not submit the license fee within 30 days after the date of the notification in subsection (A)(5), the Department shall consider the application withdrawn. The applicant may reapply by timely submitting the application fee and information required in subsection (A)(1).~~
 7. ~~If an applicant who was notified under subsection (A)(3)(b) does not take the examination on the date provided in the notification, the Department shall consider the application withdrawn. The applicant may reapply by submitting the application fee and information required in subsection (A)(1) at least 75 days before the date the Department gives a hearing aid dispenser examination.~~
 - 6-8. ~~An Except for an applicant who fails the hearing aid dispenser examination three times, an applicant who fails an examination may reapply to take the next scheduled exam examination by completing a new application and submitting to the Department a non-refundable \$50 the application fee and information required in subsection (A)(1) at least~~

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75 days before the date the Department gives a hearing aid dispenser examination to the Department, except that an applicant failing 3 consecutive examinations shall be ineligible to reapply for 1 year.

9. An applicant who fails the examination three times may reapply by submitting the application fee and information required under subsection (A)(1) no earlier than one year after the date of the third examination failed by the applicant.

~~7-10.~~ An applicant who is denied licensure a regular hearing aid dispenser license based on test results by examination may appeal the decision pursuant denial according to A.R.S. § 41-1065 A.R.S. Title 41, Chapter 6, Article 10.

B. Licensure by reciprocity For a hearing aid dispenser license by reciprocity:

1. An individual desiring to qualify for a license by reciprocity shall applicant shall submit to the Department an application packet that contains:

- a. Submit to the Department a \$50 A nonrefundable \$100 application fee and a \$50 \$100 license fee;
- b. Submit to the Department a completed An application on a form provided by the Department with the information required in subsections (A)(1)(a) through (A)(1)(h) and:
 - i. The name of each state that issued the applicant a current hearing aid dispenser license.
 - ii. The license number of each current hearing aid dispenser license, and
 - iii. The date each current hearing aid dispenser license was issued; and
- c. Request that the regulatory body responsible for issuing hearing aid licenses in the applicant's state of licensure provide to the Department copies of the following For each state named in subsection (B)(1)(a)(i):
 - i. Written A statement, on the letterhead of the government agency that issued the hearing aid dispenser license and signed by an officer of the government agency, that the individual applicant holds a current hearing aid dispenser license in good standing;
 - ii. Statutes A copy of the state statutes and administrative rules pertaining to for hearing aid dispensing in that state dispensers;
 - iii. Application form filed with that state for licensure;
 - ~~iv-iii.~~ Written A copy of the written and practical portions of any a hearing aid dispenser examination taken by the applicant; or a detailed descriptions thereof; and description of each portion of the examination;
 - ~~v-iv.~~ Applicant's The government agency's statement of the applicant's score on each section of the a hearing aid dispenser examination taken by the applicant, and of the criteria for passing: minimum passing score for each section, and of the minimum passing score for the examination; and
 - v. A copy of the applicant's current license.

2. The Based on the information submitted under subsections (B)(1)(b) and (B)(1)(c), the Department shall determine if the information outlined in subsection (B)(1) indicates the following whether:

- a. Content The content of the a hearing aid dispenser examination taken by the applicant is substantially the same as or superior to the content of the Arizona Department's examination as described in R9-16-306-;
- b. Applicant's The applicant's scores on the written and practical portions of the a hearing aid dispenser examination taken by the applicant meet or exceed Arizona's passing criteria the requirements in R9-16-305 for passing the Department's hearing aid dispenser examination-; and
- c. Meets The applicant meets the requirements in A.R.S. §§ 36-1922 and 36-1923(A) and subsections (B)(1), (B)(2)(a), and (B)(2)(b) for licensure a regular hearing aid dispenser license by reciprocity.

3. If an applicant meets the requirements in the statutes and rules listed in subsection (B)(2)(c), the Department shall:

- a. According to R9-16-315 and Table 1, notify the applicant:
 - i. By regular mail to the applicant's address on the application, and
 - ii. That the Department approves a regular hearing aid dispenser license by reciprocity for the applicant; and
- b. The Director shall issue Issue a regular hearing aid dispenser license by reciprocity pursuant to A.R.S. § 36-1922 to the applicant who meets the requirements of this subsection.

4. If an applicant does not meet a requirement in the statutes and rules listed in subsection (B)(2)(c), the Department shall:

- a. According to R9-16-315 and Table 1, notify the applicant:
 - i. By certified mail to the applicant's address on the application, and
 - ii. That the Department denies a regular hearing aid dispenser license by reciprocity to the applicant; and
- b. Return the license fee to the applicant.

- ~~4-5.~~ If the information provided indicates that the applicant does not meet the requirements of this subsection, the Director shall deny the applicant's request for licensure and return the \$50 license fee to the applicant. The An applicant who is denied a regular hearing aid dispenser license by reciprocity may:

- a. file an appeal of Appeal the decision pursuant to A.R.S. § 41-1065 denial according to A.R.S. Title 41, Chapter 6, Article 10; and

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- b. Apply for:
 - i. A regular hearing aid dispenser license by examination by submitting the application fee and information required in subsection (A)(1) at least 75 days before the date the Department gives a hearing aid dispenser examination, or
 - ii. A temporary hearing aid dispenser license by submitting the application fee and information required in subsection (D)(1).
- C. Licensure for business organizations For an organization hearing aid dispenser license:
 - 1. A corporation, partnership, trust, unincorporated association, or other organization maintaining an established with an Arizona business address in Arizona and desiring to engage in the practice of fitting and dispensing hearing aids in Arizona shall submit to the Department a nonrefundable \$50 \$100 application fee, a \$50 \$100 license fee, and an application on a form provided by the Department which that contains the following:
 - a. Name The name of the organization;
 - b. The organization's Arizona business name, address, phone and telephone number, and title of the individual responsible for the operation of the business organization in Arizona;
 - c. Name The name, address, and phone telephone number of the individual responsible for receiving authorized by the organization to receive service of process in Arizona on behalf of for the organization;
 - d. Name The name, business phone telephone number, and Arizona hearing aid dispenser license number of each hearing aid dispenser employed by the organization in Arizona; and
 - e. Statement under penalty of perjury that Whether the business organization or a hearing aid dispenser working for the organization has not had a hearing aid dispensing dispenser license revoked or suspended or revoked by a any state within the past 2 two years before the application date;
 - f. Whether the organization or a hearing aid dispenser working for the organization currently is presently not ineligible eligible for licensure licensing in any state due to prior a revocation or suspension or revocation; and
 - g. A statement verifying the truthfulness of the information provided on the application form and signed by:
 - i. If the organization is a corporation, two officers;
 - ii. If the organization is a partnership, two partners;
 - iii. If the organization is a trust, the trustee, or two trustees if the trust has multiple trustees;
 - iv. If the organization is an unincorporated association, two officers;
 - v. If the organization is a limited liability company, the designated manager, or two members if a manager is not designated;
 - vi. If the organization is a political subdivision or government agency, the political subdivision head or agency head; or
 - vii. If the organization is a sole proprietorship, the owner.
 - 2. If an organization meets the requirements in A.R.S. § 36-1910 and subsection (C)(1), the Department shall:
 - a. According to R9-16-315 and Table 1, notify the organization:
 - i. By regular mail to the organization's Arizona business address on the application, and
 - ii. That the Department approves a regular hearing aid dispenser license for the organization; and
 - b. If the information provided indicates that the applicant meets the requirements for licensure, the Director shall issue Issue a regular hearing aid dispenser license pursuant to A.R.S. § 36-1928 to the organization.
 - 3. A business desiring to renew the license shall submit the application form outlined in subsections (C)(1)(a) through (C)(1)(g) and a \$50 renewal fee. A \$10 late fee shall be assessed for a renewal application filed late in accordance with A.R.S. § 36-1927(A).
 - 3. If an organization does not meet the requirements in A.R.S. § 36-1910 and subsection (C)(1), the Department shall:
 - a. According to R9-16-315 and Table 1, notify the organization:
 - i. By certified mail to the organization's Arizona business address on the application, and
 - ii. That the Department denies a regular hearing aid dispenser license to the organization; and
 - b. Return the license fee to the organization.
 - 4. An organization notified under subsection (C)(3) may appeal the denial according to A.R.S. Title 41, Chapter 6, Article 10.
- D. Temporary For a temporary hearing aid dispenser license:
 - 1. An applicant for an initial temporary license shall submit to the Department a nonrefundable \$50 \$100 application fee and an application form on forms provided by the Department which that contains the following:
 - a. Information specified The information required in subsection (A)(1) subsections (A)(1)(a) through (A)(1)(h);
 - b. Sponsor's The sponsor's name, business address, business telephone number, and Arizona hearing aid dispenser license number; and
 - c. Sponsor's signature indicating A statement signed by the sponsor that the sponsor is a licensed hearing aid dispenser who agrees to train, supervise, and be responsible for the applicant's testing, fitting, and dispensing activities hearing aid dispenser practice.

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2. ~~The Director~~ According to R9-16-315 and Table 1, the Department shall determine whether the applicant meets the minimum requirements for a temporary licensure as outlined in subsection (D)(1) and shall notify the applicant in writing of the Director's decision:
 - a. An applicant who does not meet the requirements in A.R.S. § 36-1926 and subsection (D)(1):
 - i. By certified mail to the applicant's address on the application, and
 - ii. That the Department denies a temporary hearing aid dispenser license to the applicant; or
 - b. An applicant who meets the requirements in A.R.S. § 36-1926 and subsection (D)(1):
 - i. By regular mail to the applicant's address on the application, and
 - ii. That the Department approves a temporary hearing aid dispenser license for the applicant.
3. ~~The Director~~ Department shall issue a temporary hearing aid dispenser license to an eligible applicant who is notified under subsection (D)(2)(b) after the applicant and who submits to the Department a nonrefundable \$50 \$100 license fee and proof of sponsorship. If the applicant does not submit the license fee within 30 days after the date of the notification in subsection (D)(2)(b), the Department shall consider the application withdrawn. The applicant may reapply by submitting the application fee and information required in subsection (D)(1).
4. ~~A temporary dispenser may renew the license without taking the next regularly scheduled examination.~~
4. An applicant notified under subsection (D)(2)(a) may appeal the denial according to A.R.S. Title 41, Chapter 6, Article 10.
5. ~~A temporary license shall expire in accordance with A.R.S. § 36-1926(B) or (D).~~
6. ~~A temporary dispenser shall be allowed 1 renewal of the license as authorized by A.R.S. § 36-1926(F) by submitting to the Department a nonrefundable \$50 renewal fee and a renewal form provided by the Department which contains the following:~~
 - a. ~~Applicant's name, home address, and phone number;~~
 - b. ~~Employer's name, business address, and phone number;~~
 - e. ~~Sponsor's name, business address, telephone number, and license number; and~~
 - d. ~~Sponsor's signature indicating that the sponsor is a licensed dispenser who agrees to train, supervise, and be responsible for the applicant's testing, fitting, and dispensing activities.~~

R9-16-307. Regular License Renewal

- A. This subsection applies to renewal of a hearing aid dispenser license initially issued under R9-16-303(A) or R9-16-303(B).
- ~~A.1. The A~~ A hearing aid dispenser shall submit to the Department, before the license expiration date of the previous license, the following:
- ~~1-a. Nonrefundable A~~ nonrefundable \$100 license renewal fee of \$50,
 - ~~2-b. Confirmation of CE hours as referenced in~~ according to R9-16-308(C) and (D) R9-16-308(D); and
 - ~~3-c. Renewal A~~ license renewal application on a form provided by the Department which that contains the following:
 - ~~a-i. Dispenser's The~~ hearing aid dispenser's name, home address, and phone home telephone number;
 - ~~b-ii. Employer's If applicable, the name, of the hearing aid dispenser's employer and the employer's business address; and phone business telephone number; and~~
 - ~~e-iii. Dispenser's The~~ hearing aid dispenser's license number and date of expiration date;
 - iv. Whether the hearing aid dispenser has ever been convicted of a felony or a misdemeanor involving moral turpitude;
 - v. Whether the hearing aid dispenser has had, within two years before the renewal application date, a hearing aid dispenser license suspended or revoked by any state;
 - vi. Whether the hearing aid dispenser currently is under investigation by any state or government agency, has a disciplinary action pending in any state, or has an agreement with any state or government agency that resolves a violation by the hearing aid dispenser; and;
 - vii. A statement signed by the hearing aid dispenser verifying the truthfulness of the information on the application form.
- ~~C.2. A~~ According to A.R.S. § 36-1904(B), the Department shall allow a hearing aid dispenser may to renew the license during a 30-day grace period within 30 days after the expiration date of the license by submitting to the Department the information and renewal fee outlined required in subsection (A) (A)(1) and a \$40 \$25 late fee to the Department.
3. If a hearing aid dispenser does not meet the requirements in A.R.S. § 36-1904 and subsections (A)(1) and (A)(2), the Department shall notify the hearing aid dispenser:
 - a. According to R9-16-315 and Table 1,
 - b. By certified mail to the hearing aid dispenser's address on the renewal application, and
 - c. That the Department denies a renewal license to the hearing aid dispenser.

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- ~~B.4.~~ If a hearing aid dispenser meets the requirements in A.R.S. § 36-1904 and subsections (A)(1) and (A)(2), the Department shall:
- a. Notify the hearing aid dispenser:
 - i. According to R9-16-301 and Table 1.
 - ii. By regular mail to the hearing aid dispenser's address on the renewal application, and
 - iii. That the Department approves a renewal license for the hearing aid dispenser; and
 - b. ~~The Director shall issue~~ Issue a renewal license, valid for one year after the expiration date of the previous license, to a ~~the~~ hearing aid dispenser who complies with the requirements in subsection (A). The renewal license shall be valid for 1 year after the expiration date of the previous license.
5. An individual notified under subsection (A)(3) may appeal the denial of a renewal license according to A.R.S. Title 41, Chapter 6, Article 10.
- ~~D.6.~~ If a hearing aid dispenser fails to apply for license renewal by the end of the 30 day grace period does not submit to the Department, within 30 days after the expiration date of the previous license, the renewal fee and information required in subsection (A)(1) and the late fee required in subsection (A)(2), the license shall become void and is non-renewable and the. The individual shall no longer be licensed by the Department. The person may apply for a new license under subsection (A)(7) or subsection (A)(8).
7. An individual whose hearing aid dispenser license is nonrenewable under subsection (A)(6) may apply for a new license by submitting to the Department, within one year after the expiration date of the nonrenewable license:
- a. A nonrefundable \$100 application fee.
 - b. A \$100 license fee.
 - c. The information required in R9-16-303(A)(1)(a) through R9-16-303(A)(1)(h), and
 - d. Confirmation of CE hours according to R9-16-308(C) and R9-16-308(D).
- ~~E.8.~~ A person An individual who applies for a new license within 1 more than one year of after the expiration date of the a license shall not be required that is nonrenewable under subsection (A)(6) to take the licensing examination, but shall submit a nonrefundable \$50 application fee, a \$50 license fee, the information required in R9-16-303(A)(1) and confirmation of CE hours as referenced in R9-16-308(C) shall follow the licensing process in R9-16-303(A).
- B.** This subsection applies to renewal of a hearing aid dispenser license initially issued under R9-16-303(C).
1. An organization renewing a hearing aid dispenser license shall submit to the Department the information required in R9-16-303(C)(1)(a) through R9-16-303(C)(1)(g) and a nonrefundable \$100 renewal fee. According to A.R.S. § 36-1904(B), the Department shall assess a \$25 late fee for a renewal application submitted within 30 days after the expiration of the previous license.
 2. If an organization meets the requirements in A.R.S. § 36-1910 and subsection (B)(1), the Department shall:
 - a. Notify the organization:
 - i. According to R9-16-315 and Table 1.
 - ii. By regular mail to the organization's address on the application, and
 - iii. That the Department approves a renewal license for the organization; and
 - b. Issue a renewal license to the organization.
 3. If an organization does not meet the requirements in A.R.S. § 36-1910 and subsection (B)(1), the Department shall notify the organization:
 - a. According to R9-16-315 and Table 1.
 - b. By certified mail to the organization's address on the application, and
 - c. That the Department denies a renewal license to the organization.
 4. An organization notified under subsection (B)(3) may appeal the denial of a renewal license according to A.R.S. Title 41, Chapter 6, Article 10.
 5. If an organization does not submit to the Department, within 30 days after the expiration of the previous license, the renewal fee and information required in subsection (B)(1) and the \$25 late fee, the license is nonrenewable. The organization may apply for a new organization hearing aid dispenser license according to subsection R9-16-303(C)(1).
- C.** This subsection applies to renewal of an initial temporary hearing aid dispenser license issued under R9-16-303(D).
1. An individual whose temporary hearing aid dispenser license expires according to A.R.S. §§ 36-1926(B) or 36-1926(G) may renew the license according to subsection (C)(2) without taking the next hearing aid dispenser examination.
 2. According to A.R.S. § 36-1926(E) and 36-1926(F), the Department shall allow one renewal of a temporary hearing aid dispenser license by submitting to the Department, by the expiration date of the initial temporary hearing aid dispenser license, a nonrefundable \$100 renewal fee and the following:
 - a. The individual's name, home address, and home telephone number;
 - b. The name of the individual's employer and the employer's business address and business telephone number; and
 - c. The information required in R9-16-303(D)(1)(a) through R9-16-303(D)(1)(c).
 3. If an individual meets the requirements in A.R.S. § 36-1926 and subsection (C)(2), the Department shall:
 - a. Notify the individual:

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- i. According to R9-16-315 and Table 1.
 - ii. By regular mail to the individual's address on the renewal application, and
 - iii. That the Department approves a renewal license for the individual; and
 - b. Issue a renewal license to the individual.
- 4. If an individual does not meet the requirements in A.R.S. § 36-1926 and subsection (C)(2), the Department shall and notify the individual:
 - a. According to R9-16-315 and Table 1.
 - b. By certified mail to the individual's address on the renewal application, and
 - c. That the Department denies a renewal license to the individual.
- 5. An individual notified under subsection (C)(4) may appeal the denial of a renewal license according to A.R.S. Title 41, Chapter 6, Article 10.
- 6. If an individual does not submit the renewal fee and information required in subsection (C)(2) by the expiration date of the initial temporary hearing aid dispenser license, the license is nonrenewable. The individual may apply for a new temporary hearing aid dispenser license by submitting the application fee and information required in R9-16-303(D)(1).
- 7. An individual whose initial temporary hearing aid dispenser license terminates according to A.R.S. § 36-1926(D) may apply for a new temporary hearing aid dispenser license by submitting the application fee and information required in subsection R9-16-303(D)(1).

R9-16-316. Duplicate License Fee

- A.** An individual licensed under 9 A.A.C. 16, Article 3, may obtain a duplicate license by submitting to the Department a request for a duplicate license containing the individual's name and address, the number and expiration date of the license to be duplicated, the individual's signature, and a nonrefundable \$25 duplicate license fee.
- B.** An organization licensed under 9 A.A.C. 16, Article 3, may obtain a duplicate license by submitting to the Department a request for a duplicate license containing the organization's name and address, the number and expiration date of the license to be duplicated, the titles and signatures of the individuals specified in R9-16-303(C)(1)(g) for the type of organization requesting the duplicate license, and a nonrefundable \$25 duplicate license fee.